

ESTTA Tracking number: **ESTTA611801**

Filing date: **06/24/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200834
Party	Plaintiff Chicago Cubs Baseball Club, LLC
Correspondence Address	MARY L KEVLIN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES mlk@cll.com, dmo@cll.com, trademark@cll.com, jmn@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Don M. Obert
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Signature	/Don M. Obert/
Date	06/24/2014
Attachments	C and Car Design (USAA) Opp Nos 91200834 (Parent); C and Home Design Opp No 91203117 Mot Susp 06242014.pdf(7118 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/037,368  
Filed: May 13, 2010  
For Mark: C and Design  
Published in the Official Gazette: January 25, 2011

In re Application Serial No. 85/060,475  
Filed: June 11, 2010  
For Mark: C and Design  
Published in the Official Gazette: June 28, 2011

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CHICAGO CUBS BASEBALL CLUB, LLC,	:	
Opposer,	:	Opposition Nos. 91200834 (Parent)
	:	91203117
v.	:	
	:	
UNITED SERVICES AUTOMOBILE	:	
ASSOCIATION,	:	
Applicant.	:	
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**MOTION ON CONSENT TO SUSPEND AND TO EXTEND  
DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order to suspend consolidated proceedings in this matter for a period of 90 days, until **September 22, 2014**. Applicant's counsel consented to this motion, which is requested to allow the parties to try to finalize the settlement of this matter.

Progress has been made in this matter. Specifically, on May 22, 2014 the parties reached a final agreement in this proceeding, having executed a written agreement to such effect. In accordance with the terms of the agreement and with the express consent of both parties, a Motion On Consent To Amend Application And, If Accepted, To Withdraw The Opposition On Consent was filed with the Board on May 28, 2014 in connection with each proceeding,

requesting that the captioned applications be amended to include certain language limiting language described therein and, if accepted, that the oppositions be withdrawn without prejudice (the “Motions”). To date, the Board has not issued its decision on such Motions.

In as much as Opposer’s pretrial disclosures are currently due on July 14, 2014, the additional time is requested so as to allow the Board ample opportunity to rule on the aforementioned Motions and to provide Opposer with additional time to serve its pretrial disclosures, should such action still be required. If the Board grants the Motions in their entirety, this proceeding will terminate and Applicant will no longer be required to serve its pretrial disclosures.

In the event that the Board denies this motion, Opposer requests that the Board grant Opposer and extension of time to serve its pretrial disclosures until thirty (30) days after such denial and requests that remaining trial periods and other periods should be reset accordingly.

Dated: New York, New York  
June 24, 2014

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.  
*Attorneys for Opposer*

By: /Don M. Obert/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 24, 2014, I caused a true and correct copy of the foregoing Motion On Consent To Amend Application And, If Accepted, To Withdraw The Opposition On Consent to be sent via First Class Mail, postage prepaid, to Applicant's attorney and Correspondent of Record, Wendy C. Larson, Esq., Pirkey Barber PLLC, 600 Congress Avenue, Suite 2120, Austin, Texas 78701.

Dated: New York, New York  
June 24, 2014

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/Don M. Obert/  
Don M. Obert